

Amendment and Response
Applicants: Patrick P. Russo et al.
Serial No.: 10/074,740

Attorney Docket: ev31014US

Amendments to the claims:

This listing of claims will replace all prior versions and listing of claims in this application:

1 (Canceled).

2 (Currently Amended). The distal tip catheter according to Claim 1 ~~35~~ wherein said tip member tapers radially inwardly toward a distal end thereof.

3 (Currently Amended). The ~~distal tip~~ catheter according to Claim 2 wherein said tip is attached to a distal end of a the catheter.

4 (Currently Amended). The ~~distal tip~~ catheter according to Claim 3 wherein said catheter is sized to be positioned within a lumen of a human body.

5 (Currently Amended). The ~~distal tip~~ catheter according to Claim 3 wherein said catheter is sized to be positioned within a blood vessel.

6 (Currently Amended). The ~~distal tip~~ catheter according to Claim 5 wherein said catheter has a lumen sized to receive ~~and said catheter is advanced along a guidewire disposed within said lumen in said catheter.~~

7 (Currently Amended). The ~~distal tip~~ catheter according to Claim 1 ~~35~~ wherein said device is an embolic protection device.

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8 (Currently Amended). A catheter having a distal tip for use in retrieving a medical device, comprising:

a wall defining the distal tip, said tip defining a lumen, the ~~lumen wall~~ having a proximal end and a distal end, wherein said wall has a curved portion at said distal end curving inwardly toward an axis of said lumen, ~~said lumen having a diameter adaptable to accommodate a device having a diameter and~~

the wall having a diameter at the distal end that is less than a diameter of the medical device, the wall having an undeflected configuration prior to retrieval of the medical device into the lumen and a deflected configuration during retrieval of the medical device into the lumen, the distal end of the wall being rolled inwardly in the deflected configuration such that a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

9 (Currently Amended). The ~~distal tip catheter~~ according to Claim 8 wherein said distal tip is attached to a distal end of the a catheter member.

10 (Currently Amended). The ~~distal tip catheter~~ according to Claim 9 wherein said catheter is sized to be advanced within a blood vessel.

11 (Currently Amended). The ~~distal tip catheter~~ according to Claim 10 wherein said catheter has a lumen and said catheter is sized to be advanced over a guidewire extending through the catheter lumen therethrough.

12 (Canceled).

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13 (Currently Amended). The ~~distal tip catheter~~ according to Claim ~~12~~ 11 wherein said curved portion ~~accommodates~~ is enlargeable to retrieve said device into said lumen of said distal tip.

14 (Canceled).

15 (Currently Amended). The ~~distal tip catheter~~ according to Claim ~~14~~ 13 wherein said device is ~~a~~ an embolic protection device.

16 (Currently Amended). The ~~distal tip catheter~~ according to Claim 15 wherein said distal tip has a diameter that decreases as it progresses towards said curved portion.

17 (Currently Amended). A catheter for use in retrieving a medical device comprising:

a distal tip comprising ~~a tubular member having a wall defining a lumen having a periphery wherein said distal tip tubular member has a taper from a proximal end towards a rolled distal end and wherein at said distal end said wall curves inwardly towards said lumen wherein a device having a greater periphery is urged into said lumen, and said lumen adapts to conformingly receive said greater periphery;~~

the lumen having a diameter at a lumen distal end that is less than a diameter of the medical device, the wall having an undeflected configuration prior to retrieval of the medical device into the lumen and a deflected configuration during retrieval of the medical device into the lumen, a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

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18 (Currently Amended). The ~~distal tip~~ catheter according to Claim 17 wherein said distal tip is attached to a distal end of a the catheter.

19 (Currently Amended). The ~~distal tip~~ catheter according to Claim 18 wherein said catheter is ~~is~~ sized to be positioned within a lumen of a patient's body.

20 (Currently Amended). The ~~distal tip~~ catheter according to Claim 19 wherein said device is an embolic protection device.

21 (Currently Amended). The ~~distal tip~~ catheter according to Claim 20 wherein said ~~distal~~ embolic protection device has is sized and adapted to contain particulate matter therein.

22 – 24 (Canceled).

25 (Currently Amended). The ~~distal tip~~ catheter according to Claim ~~24~~ 17 wherein ~~as said protection device is urged proximal to said distal tip, said lumen returns substantially to its periphery after retrieving the medical device within the lumen, the wall is adapted to contract to the undeflected configuration.~~

26 (Canceled).

27 (Currently Amended). A medical device comprising:

a catheter having ~~at least a single tubular member, said tubular member extending to a distal end;~~ and a distal tubular member connected to and in communication with ~~said~~ a catheter distal end;

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wherein said ~~distal~~ tubular member has a wall forming a ~~boundary about a~~ lumen wherein said wall has a thickness that is tapered towards a wall distal end ~~having a lesser thickness~~, said distal end of said wall being rolled inwardly towards said lumen forming a rolled tip, ~~wherein as said medical device is positioned within a blood vessel said rolled tip being sized is able to receive a protection device into said lumen wherein a corresponding portion of said lumen complies to a periphery of said protection device that is in contact with said corresponding portion; and~~

the wall having an undeflected configuration prior to retrieval of the protection device into the lumen and a deflected configuration during retrieval of the protection device into the lumen, a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

28 - 30 (Canceled).

31 (Currently Amended). The medical device according to Claim 27 wherein said protection device is sized and adapted to contain ~~contains~~ captured emboli and said ~~distal tip wall~~ is radially extensible ~~able to comply to said periphery~~ retrieve the protection device such that emboli are prevented from releasing ~~into said blood vessel from the protection device.~~

32 (Currently Amended). The medical device according to Claim 27 wherein said distal tip has a low durometer.

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33 (Currently Amended). The medical device according to Claim 27 wherein after said protection device is ~~received~~ retrieved within said ~~catheter~~ lumen, said ~~distal tip returns substantially to its original configuration~~ wall is adapted to contract to the undeflected configuration.

34 (Currently Amended). The medical device according to Claim 27 wherein said distal tip comprises a ~~conformable~~ material that is deformable, conformable, compliant or elastic.

35 (New). A medical catheter for use in retrieving a medical device from within a body vessel, comprising:

a distal tip having a wall with an inner surface and an outer surface, the wall having a distal end and a proximal end, the inner surface defining a lumen, the outer surface tapering inwardly toward the distal end; and

the lumen having a diameter at the distal end that is less than a diameter of the medical device, the wall having an undeflected configuration prior to retrieval of the medical device into the lumen and a deflected configuration during retrieval of the medical device into the lumen, the distal end being rolled inwardly in the deflected configuration such that a distance between the proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

36 (New). The catheter according to claim 35, wherein the distal tip comprises a material that is conformable, deformable, compliant, or elastic.

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37 (New). The catheter according to claim 35 that is at least partly radiopaque

38 (New). The catheter according to claim 8 that is at least partly radiopaque